

REMARKS

The Final Office Action electronically mailed March 4, 2010 has been received and reviewed. By the present Response and Amendment, Claims 1 and 78 are amended. Claim 81 has been added.

Examiner Interview

Applicant would like to thank Examiner Stout and Examiner Hindenburg for taking part in the Examiner interview of July 6, 2010. Applicant notes that a discussion of the differences between the present application and the Schraga and Boecker references took place and that general agreement was reached as to the particular differences between the same. Although no agreement was reached as to specific claim language, Applicant has amended independent Claims 1 and 78 as generally discussed.

Claim Rejections

Claims 1, 2, 5-12, 17-20, 69 and 70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,228,100 to Schraga in view of U.S. Patent No. 6,706,159 to Moerman et al.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,228,100 to Schraga in view of U.S. Patent No. 6,706,159 to Moerman et al. and further in view of U.S. Patent No. 6,197,041 to Shichman et al.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,228,100 to Schraga in view of U.S. Patent No. 6,706,159 to Moerman et al. and further in view of U.S. Patent No. 5,554,166 to Lange et al.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,228,100 to Schraga in view of U.S. Patent No. 6,706,159 to Moerman et al. and further in view of U.S. Patent No. 5,385,571 to Morita et al.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,228,100 to Schraga in view of U.S. Patent No. 6,706,159 to Moerman et al. and further in view of U.S. Patent No. 5,152,775 to Ruppert et al.

Claims 78-80 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2004/0102803 to Boecker et al.

Applicant respectfully traverses these rejections and notes that the prior art of record does not teach each and every element of the claimed invention—either alone or in combination. Nonetheless, Applicant has amended independent Claims 1 and 78 to further clarify the differences between the prior art of record and the claimed invention. Specifically, Claim 1 has been amended to include the feature of:

at least one guide member per lancet and in association therewith

and Claim 78 has been amended to include the feature of:

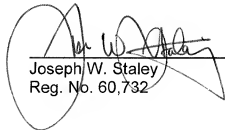
said spring elements directly engaging and biasing the protective caps of said plurality of lancets out of the path of travel after separation of the protective cap from the lancet body

Additionally, Applicant has added independent Claim 81 (which is very similar to independent Claim 1) with the added features of comprising a *plurality of lancets* and a *plurality of guide members corresponding to the plurality of lancets*. As discussed during the interview of July 6, 2010, it is believed by Applicant and undersigned below that the present amendments to Claims 1 and 78 incorporate features that are not disclosed or taught by any of the prior art of record and are thus believed to be allowable as written. Similarly, new Claim 81 is also believed to be allowable for the same reasons. Dependent Claims 1-20, 69, 70, 79, and 80 are also believed to be allowable for at least the reason that they stem from Claims 1 and 78.

CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



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